REMARKS

Claims 4-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of U.K. 2,009,362 (newly cited, of record) and Burnham '401. This rejection is respectfully traversed for the following reasons.

The admitted prior art and Burnham '401 are applied in the rejection in the same manner as in the previous office action. The admitted prior art teaches forming a hose with an internal reinforcement layer and an external, helical reinforcing rod. Burnham teaches forming a hose with a non-reinforced area. For the non-reinforced area, the thermoplastic hose material is not heated so that the helical reinforcement material cannot sink into the hose material, or, if using thermoelastic material, the hose is precured by spot vulcanizing to prevent the helical reinforcement material from embedding itself in the interior of the hose.

In light of the lack of teachings of an internal reinforcement layer in the hose of Burnham '401, the teachings of UK '362 have been incorporated into the rejection.

UK '362 teaches the following steps to eliminate the internal reinforcement: form a continuous hose length with an internal helical reinforcement 3 and an internal fabric reinforcing layer, cut the hose to finite lengths, make a helical cut on the outer surface of the hose, remove the internal helical reinforcement, and then patch the cut in the hose. UK '362 does not specifically state when the hose is cured; however, as UK '352 teaches that the end user may be provided with unmodified hose lengths and the user forms the cuff, there is the clear suggestion that the continuous hose length is cured prior to creating finite lengths of hose and the internal helical reinforcement is cured within the hose.

In the rejection it is stated that UK 362 clearly suggests incorporating an internal reinforcement "as well as a second reinforcement about the exterior of the hose." This is incorrect. The second reinforcement of UK '362, the wire 3, is an internal hose component – until the hose is cut and the wire 3 is removed. If the second reinforcement 3 of UK '362

were exterior to the hose, no cutting of the hose as taught by UK '362 would be required. While the wire 3 may be radially exterior to the internal reinforcement layer 2 of UK '362, not by any definition is the helical wire 3 an external reinforcement as claimed.

It is asserted in the rejection that rather than cutting the hose of UK '362 to withdraw the wire, it would have been obvious to treat the hose material of UK '362 as taught by Burnham so that the wire is not secured, or vulcanized in the hose. In the Office Action, substituting the method of Burnham for that in UK '362 is held to be obvious for the reasons of a) "an alternative" and b) avoid the time consuming step of cutting the hose.

Applicants disagree with this for several reasons. First, just because something is an alternative, does not mean that it should be done, could be done, or would be done by those of skill in the art. Second, it is purely speculative to assume that the cutting of the hose of UK '362 is "time consuming" – the cutting provides a benefit as disclosed by UK '362 in that an end user may modify the hose as needed where needed while out in the field – this is a benefit that cannot be achieved using the production methods of Burnham.

The method of Burnham, due to the required heating/cooling or spot vulcanizing, requires that the hose with the non-reinforced portion be formed prior to customer delivery. UK '362 desires forming a continuous hose length, without the necessity to have a large number of hose lengths in stock, so that any cut length of hose may be provided, with the non-helical reinforced end being created in a post-manufacturing step. The intended timing of the creation of a non-reinforced hose portion differs in both references, for different reasons, and it is questionable that one skilled in the art would find the substitution of the method of Burnham in UK '362 as obvious, as asserted in the Office Action.

Assuming that one in the art would look to treat the hose of UK '362 in the manner taught by Burnham to form a hose with a buried helical element – it still begs the question of relevancy to the admitted prior art of a hose having an *external* helical reinforcement. Both

Burnham '401 and UK '362 are directed to hoses that have *internal* helical reinforcements, and both references teach methods of forming hoses wherein a length portion of the hose has no such *internal* helical reinforcement. The admitted prior art is directed to forming a hose with an *external* helical reinforcement. One skilled in the art looking to modify the teachings of the admitted prior art in order to eliminate external helical reinforcements in the continuous manufacturing method of the admitted prior art is highly unlikely to look to internal reinforcement teachings, and there is no motivation in the Burnham or UK 362 to use such teachings in the manufacture of an externally reinforced hose of the type of the admitted prior art.

As the admitted prior art in view of U.K. '362 and Burnham '401 fails to establish *prima facie* obviousness of the invention as recited in claims 4-8, it is respectfully requested that the rejection be withdrawn.

In light of this amendment, all of the claims now pending in the subject patent application are allowable. Thus, the Examiner is respectfully requested to allow all pending claims.

Respectfully submitted,

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